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Will Lowry was convicted of violating prohibition law, and he brings error. Affirmed.

The indictment in this case is for violation of the prohibition law, and is in the omnibus form prescribed by chapter 388 of the Acts of 1918. There was a trial by jury and a verdict and judgment accordingly, finding the accused guilty and fixing his punishment at six months in jail and a fine of \$500.

Daniel Coleman, of Norfolk, for plaintiff in error.

Ino. R. Saunders, Atty. Gen., and *J. D. Hank, Jr., Asst. Atty. Gen.*, for the State.

ROBERTS *v.* ALEXANDRIA WATER CO.

Jan. 19, 1922.

[110 S. E. 261.]

1. Waters and Water Courses (§ 156 (7)*)—No Right to Tap Water Main under Water Company's Grant of Right to Take Water from Millrace.—A water company's grant to the one from whom it acquired the water supply of right to take water from the millrace gives no right to take water from the company's water main at a point some distance from the millrace.

[Ed. Note.—For other cases, see 13 Va.-W. Va. Enc. Dig. 679.]

2. Waters and Water Courses (§ 157*)—Permission to Tap Water Main Considered a Revocable License.—Permission by water company to officers thereof, from whom it had acquired the water supply, and to whom it had granted right to take water from the millrace, to tap its water main will, in the absence of further showing, not be considered a grant of additional rights or a construction of the prior grant, but a bare privilege or revocable license.

[Ed. Note.—For other cases, see 11 Va.-W. Va. Enc. Dig. 374.]

Appeal from Circuit Court of City of Alexandria.

Suit by Edmund Hunt Roberts against the Alexandria Water Company for injunction. Bill dismissed, and complainant appeals. Affirmed.

Jas. R. & H. B. Caton, of Alexandria, for appellant.

Gardner L. Boothe, of Alexandria, for appellee.

HUBARD & APPLEBY, Inc. *v.* THACKER et al.

Jan. 19, 1922.

[110 S. E. 263-4.]

1. Mortgages (§ 292 (2)*)—Mortgagee's Remedy against Purchaser Assuming Mortgage Is in Equity.—The remedy of a mortgagee against

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.